

**MINUTES OF MEETING
SWEETWATER CREEK
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Sweetwater Creek Community Development District was held on **Monday, February 6, 2024** at 4:00 p.m. at 625 Palencia Club Drive, St. Augustine, Florida.

Present and constituting a quorum were:

Ron Cervelli	Chairman
John Smith	Vice Chairman
Rob Lisotta	Supervisor
Stephen Handler	Supervisor

Also present were:

Howard McGaffney	District Manager, GMS
Jennifer Kilinski <i>by Zoom</i>	District Counsel, KVW
Erin Gunia	Director of Amenities, RMS
Jerry Lambert	Operations Manager, RMS
Dan Wright	Riverside Management Services
Mary Marchiano	Duval Landscape
Joshua Boucher	Duval Landscape
Mary Grace Henley <i>by Zoom</i>	Kilinski Van Wyk

The following is a summary of the discussions and actions taken at the February 6, 2024 Sweetwater Creek Community Development District's Regular Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. McGaffney called the meeting to order at 4:00 p.m. Four Board members were physically present, constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment

There being no comments, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Consent Agenda

A. Minutes of the January 4, 2024 Meeting

Copies of the minutes of the January 4, 2024 meeting were included in the agenda package for the Board's review.

February 6, 2024

Sweetwater Creek CDD

B. Financial Statements

Copies of the financial statements were provided to the Board for their review.

C. Check Register

A copy of the check register was included in the agenda package for the Board’s review.

D. Ratification of Requisition Nos. 115-117

Copies of requisition numbers 115 through 117 were included in the agenda package for the Board’s review.

E. Ratification of Water Heater Repair

An estimate from Griffin Service for installation of a tankless water heater was included in the agenda package for the Board’s review.

F. Professional Engineering Services Agreement with Matthews Design Group

A copy of the executed agreement between Sweetwater Creek CDD and Matthews Design Group, LLC was included in the agenda package for the Board’s review.

Mr. Smith asked the Board for permission to speak with Marshall Creek about the Comcast expenses and internet. There were no objections.

On MOTION by Mr. Handler, seconded by Mr. Smith, with all in favor, the consent agenda was approved 4-0.

FOURTH ORDER OF BUSINESS

Staff Reports

A. Landscape Team

1. Maintenance Report

Ms. Marchiano provided an overview of the landscape maintenance report, a copy of which was included in the agenda package.

Mr. Boucher stated that irrigation was over budget, so he is working with the field operations team to manage that usage. The city will be sending a consumption report monthly to

February 6, 2024

Sweetwater Creek CDD

Mr. Boucher. He also noted there is still an issue with the back gate pump that needs either a sand filter or a redrill. A proposal for the sand filter was included in the agenda package.

2. Consideration of Proposal for Trimming Crepe Myrtles

A proposal from Duval Landscape for trimming the Crepe Myrtles in the community totaling \$5,322.11 was included in the agenda package for the Board’s review.

Mr. Lambert informed the Board that Lucas Tree Service has also provided a quote for trimming the Crepe Myrtles that totals \$3,500. Ms. Gunia added that Marshall Creek has used Lucas Tree Service to lift trees and there were no complaints.

Mr. Usina joined the meeting by phone at this time.

On MOTION by Mr. Smith, seconded by Mr. Lisotta, with all in favor, trimming the Crepe Myrtles at an amount not to exceed \$3,600 was approved 5-0.

3. Update on Intersection Landscape Bed Review / Revamp Project

Mr. Lisotta estimated that each landscape bed would cost around \$3,000 to \$5,000 each. He stated he could get with staff after the meeting to see if there is a budget to start the project this fiscal year.

Mr. McGaffney stated that there is \$50,000 in a landscape improvement budget, so one option is to allocate \$25,000 each year to the project.

Mr. Cervelli stated that he thought that there was \$30,000 in the budget for this year that the Board agreed to allocate for landscaping.

Mr. Lisotta asked for a consensus from the Board on making the main entrances and main drags a priority, moving away from standardizing the beds, and reusing foliage if they’re able to be moved between beds.

There were no objections from the Board.

Mr. Cervelli asked that the landscape team avoid plants that attract deer and move toward using perennials rather than annuals.

February 6, 2024

Sweetwater Creek CDD

On MOTION by Mr. Smith, seconded by Mr. Handler, with all in favor, authorizing a landscape bed improvement project at an amount not to exceed \$35,000 was approved 5-0.

B. District Engineer

There being nothing to report, the next item followed.

C. District Counsel – Update on Sports Surfaces and Reminder on Ethics Training

Ms. Kilinski reminded the Board that at the last meeting, the Chair was authorized to negotiate on behalf of the District. The result is a partially executed settlement agreement with Sports Surfaces for a settlement of \$4,000 and release of all claims. Next, she reminded the Board of the required ethics training for CDD board members that is due by December 31, 2024.

D. District Manager

There being nothing to report, the next item followed.

E. Field Manager – Report

A copy of the operations report was included in the agenda package for the Board’s review.

Mr. Lambert noted there is a quote for a sand separator totaling \$3,600 in front of the Board and stated that the person who installed the well in the District now has his own business called Pumps Done Right so he has inspected the pump and determined a new well is not necessary at this time, although it is bringing some sand up so the solution may be to put in a new belt and pump it out prior to irrigation running. He believes that would be another \$3,000 if the Board wanted to look at doing that down the road.

Mr. Smith asked Mr. Lambert to research the possibility of pulling the pump up 20 to 40-feet to get it out of the hydraulic action of the sand, in addition to having the sand separator.

On MOTION by Mr. Handler, seconded by Mr. Lisotta, with all in favor, installing a sand separator on the well pump near the guard house at an amount not to exceed \$3,700 was approved 5-0.

February 6, 2024

Sweetwater Creek CDD

Mr. Smith asked if he and Mr. Lambert can work with Pumps Done Right to inspect the other wells to see if there is any preventative maintenance needed as they are all around the same age.

Mr. Lisotta and Mr. Cervelli were opposed and stated their preference for repairing as needed.

F. Director of Amenities – Report

A copy of the amenities report was included in the agenda package for the Board’s review. Ms. Gunia updated the Board on the status of various projects. Additionally, Ms. Gunia asked for a not to exceed amount of \$1,200 to purchase chairs to have the ability to hold meetings on Sweetwater Creek’s property.

On MOTION by Mr. Smith, seconded by Mr. Handler, with all in favor, purchasing chairs at an amount not to exceed \$1,200 was approved 5-0.

Mr. Usina asked if there has been a response to the letter sent to a resident regarding his treatment of staff and supervisors.

Ms. Gunia responded that there has been no response to her or her staff, although she has heard from other residents that the latest interactions with the resident have been positive.

The following items were taken out of order of the agenda.

FIFTH ORDER OF BUSINESS

Business Items

D. Consideration of Proposal for Trimming Palm Trees

Mr. Lambert presented a proposal totaling \$1,400 from Lucas Tree Services to trim the palm trees at the entrance and roundabout on Las Calinas Boulevard.

Mr. Cervelli asked if the palm trees on Pantano Vista are on CDD or HOA property because they need some work.

Mr. Lambert responded that he assumes it is CDD property.

Mr. Lisotta asked staff to get additional quotes for trimming the palm trees and to include all of the palm trees in the District within those quotes.

February 6, 2024

Sweetwater Creek CDD

Mr. Usina recommended staff getting quotes from three different vendors to trim and lift all the various trees in the community as it will likely produce a better rate and would make it easier on staff and the Board. The cost can then be included in the budget annually.

Mr. Lisotta stated that the Oaks are not lifted annually. He added that getting quotes annually at the same time for all trees may make it challenging if some trees are not in need of trimming at the same time as others.

E. Consideration of Revisions to Amenity Policies

A copy of the redline amenity policies was included in the agenda package for the Board's review.

Mr. Smith stated that section 5C is the hold harmless clause for all amenities and in the pickleball segment under 5H, the pickleball section can refer to section 5C. He also questioned if signage is needed on the court that the equipment is used at patron's own risk.

Ms. Kilinski responded that Mr. McGaffney and Ms. Gunia were reaching out to the District's insurance carrier on the recommended risk management associated with the facilities and can report back if any signage is recommended. Additionally, she noted that when the access cards are issued, one of the representations is that the patrons have read the policies, will abide by them and will assume the risk.

The Board discussed the possibility of a non-resident membership. Mr. Lisotta recommended adding a reference to the pickleball courts under Section P, number two to make it clear the guest policy is the same throughout the amenities. There were no objections from the rest of the Board.

The Board took a brief recess at this time. Upon reconvening, the following items were taken.

F. Consideration of Resolution 2024-02, Instructing the St. Johns County Supervisor of Elections to Conduct the 2024 General Election

Ms. Kilinski informed the Board that St. Johns County requires the enclosed resolution that confirms the District is requesting the elections office to conduct the District's election. It also authorizes District staff to notice the qualifying period. She noted seats 3, 4 and 5 are scheduled for general election in November 2024.

February 6, 2024

Sweetwater Creek CDD

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, Resolution 2024-02, instructing the St. Johns County Supervisor of Elections to conduct the District's 2024 general election was approved 5-0.

Mr. McGaffney asked if a motion is needed to adopt the changes to the amenity policies discussed under item E.

Ms. Kilinski responded that a motion can be taken if everyone is in agreement to the changes.

On MOTION by Mr. Lisotta, seconded by Mr. Smith, with all in favor, the amenity policy changes including the additional revisions as discussed above were approved 5-0.

G. Review of Communication from Marshall Creek re: FEMA Denial and Consideration of Same

Ms. Kilinski stated that the District was informed that Marshall Creek had a second appeal to FEMA regarding boardwalk improvements related to Hurricane Irma in 2017. The total amount requested by Marshall Creek was \$313,912.53 and they were approved initially by FEMA and then more recently FEMA found the project did not meet certain permitting requirements and issued a denial letter. Marshall Creek did two appeals, each unsuccessful, so FEMA has now requested the funds be returned. Staff has requested additional information on the first appeal and will do a financial review and can report back to the Board at the March meeting as this request for funds is being requested pursuant to the interlocal cost share agreement.

Mr. Handler asked why Sweetwater Creek would be held responsible when Marshall Creek didn't do what they were supposed to do.

Ms. Kilinski stated that more research needs to be done before a position can be taken on the interlocal agreement.

A. Consideration of Proposals for Dog Park Fencing and Water Stations

Proposals for fencing a dog park at Ensenada Park were included in the agenda package for the Board's review. Mr. Lambert's recommendation is Best Fence & Rail for a total of \$8,284. A proposal for installing a drinking fountain totaling \$995 was also included for the Board's review.

February 6, 2024

Sweetwater Creek CDD

Mr. Smith asked that an automatic valve shut off be installed with the drinking fountain. The Board directed staff to ask Best Fence & Rail to waive the advance deposit.

On MOTION by Mr. Handler, seconded by Mr. Usina, with all in favor, installation of fencing and a drinking fountain at Ensenada Park at an amount not to exceed \$10,000 was approved 5-0.

B. Consideration of Proposals for Playground Mulch

Mr. Cervelli asked Mr. Usina to update the Board on the plans for Onda Park before the playground mulch is discussed.

Mr. Usina went over the design concept from the District Engineer. He recommended adding a play structure, a basketball court, a dog park, a pavilion and a walkway with fitness stations at Onda Park for an estimate of just under \$200,000, not including the playground installation and any engineering or legal fees.

The Board discussed each option and determined the majority of the Board was in favor of a basketball court, a walkway without fitness equipment, a play structure, and a covered pavilion with picnic tables.

Mr. McGaffney stated that he will relay the desired amenities to the engineer so that he can come up with an estimate and more finalized concept. Additionally, he will ask the county if a parking area will be required.

C. Consideration of Onda Park Improvements

- 1. Proposal from Matthews DCCM for Site Plan Development**
- 2. Playground Strucutre Design Concept**
- 3. Turf Preparation for Soccer Goals**

No action was taken on these items.

SIXTH ORDER OF BUSINESS

Other Business

Mr. Cervelli stated that Mr. Usina feels the entrance on the visitor’s side at the Las Calinas gate is too fast and that there should be a longer recording asking for the name and address of who the person is visiting.

February 6, 2024

Sweetwater Creek CDD

The Board discussed the timing of the agenda documents and the challenge with reviewing the information in time for the meeting when items are late.

SEVENTH ORDER OF BUSINESS **Supervisor Requests / Public Comment**

A resident commented that she thinks the community would benefit from security patrols.

Mr. Usina stated that the District does pay for off-duty officer patrols.

EIGHTH ORDER OF BUSINESS

Next Scheduled Meeting – Thursday, March 7, 2024 at 4:00 p.m. at 625 Palencia Club Drive, St. Augustine, Florida 32095

Mr. McGaffney asked if the Board would like to continue meeting in the fitness center.

Ms. Gunia stated that there is a fitness class that starts at 6:00 on Thursdays, but she can ask to move it later 30 minutes.

On MOTION by Mr. Handler, seconded by Mr. Cervelli, with Mr. Cervelli, Mr. Usina, Mr. Smith and Mr. Handler in favor and Mr. Lisotta opposed, moving future meetings to the multi-purpose room of the fitness center was approved 4-1.

NINTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Lisotta, seconded by Mr. Usina, with all in favor, adjourning the meeting was approved 5-0.

DocuSigned by:

396ACFAA81D8491
Secretary/Assistant Secretary

DocuSigned by:

77008D09A185429
Chairman/Vice Chairman